



# Air Resources Board



**Matthew Rodriquez**  
Secretary for  
Environmental Protection

**Mary D. Nichols, Chairman**  
1001 I Street • P.O. Box 2815  
Sacramento, California 95812 • [www.arb.ca.gov](http://www.arb.ca.gov)

**Edmund G. Brown Jr.**  
Governor

July 10, 2012

Dear Sir or Madam:

I am writing to notify you that section 94513(g) of the Consumer Products Regulation requires Responsible Parties for Multi-purpose Solvent and Paint Thinner products to submit specific data for products sold, supplied, offered for sale, or manufactured for sale in California. The data are necessary as part of Air Resources Board (ARB) staff's assessment on the feasibility of the three percent by weight volatile organic compound (VOC) limits scheduled to become effective on December 31, 2013.

Responsible Parties or formulators for Multi-purpose Solvent and Paint Thinner products must report the following information:

- Data regarding product sales and composition for the year 2011, including the information listed in section 94513(a), and the entire product label; and
- A written update of the research and development efforts undertaken to achieve the three percent VOC limits specified in section 94509(a). The written update must include detailed information about the raw materials evaluated for use; maximum incremental reactivity (MIR) values for any VOC or Low Vapor Pressure – Volatile Organic Compound (LVP-VOC) used or evaluated; the function of the raw material evaluated; the testing protocols used; the results of the testing; and the cost of reformulation efforts.

To help us fully evaluate the feasibility of the 3 percent VOC limits, you should report the same data for products that are labeled as acetone, denatured alcohol, linseed oil, methyl ethyl ketone (MEK), mineral spirits, naphtha, odorless mineral spirits, or turpentine as the product name or part of the product name. You should also report data on any products that meet the definition of multi-purpose solvents and/or paint thinners except they are sold in a form other than liquid (for example, aerosol). Also report products designed for paint clean-up and/or surface preparation.

Enclosed, for your convenience, are forms and instructions for you to use to submit your data. As always, all information that you designate as confidential will be handled strictly according to ARB confidentiality regulations. Please read and complete the enclosed Confidential Information Form and return it with your reporting forms. A space

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

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is provided on each reporting form for you to clearly designate your submittal as confidential. The forms should be completed and returned to ARB by September 17, 2012.

You may be aware that we are considering future amendments that would change how VOC content is determined for these categories. One approach would be to 'count' LVP-VOC content when determining compliance with the limits. Other potential amendments would clarify the types of paint thinning products that are not subject to the VOC limits (e.g. Industrial Maintenance Coating Thinners). We will also use these data to evaluate whether the definitions for multi-purpose solvent and paint thinner should include all product forms (not just liquid). The goal of these amendments would be to ensure that predicted emission reductions from adoption of Rule 1143: Consumer Paint Thinners and Multi-Purpose Solvents in the South Coast Air Quality Management District and the State's regulation are achieved. In completing these forms you may want to consider these potential changes and the impacts on your research and development efforts.

Thank you in advance for providing us with the information on your progress toward complying with the three percent VOC limits. The complete text of the Consumer Products Regulation can be found at:  
<http://www.arb.ca.gov/consprod/regs/gencregs.htm>. For information on upcoming activities relating to consumer products, please sign up for the consumer products list serve at [http://www.arb.ca.gov/listserv/listserv\\_ind.php?listname=consprod](http://www.arb.ca.gov/listserv/listserv_ind.php?listname=consprod).

If you have any questions regarding this matter, please contact Mr. Minh Pham at (916) 324-0226.

Sincerely,

Carla D. Takemoto, Chief  
Area Source and Emission Inventory Programs Branch  
Planning and Technical Support Division

Enclosures

cc: Mr. Minh Pham  
Air Pollution Specialist  
Technical Development Section  
Planning and Technical Support Division

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bcc: (With Enclosures)

Linda Murchison, PTSD  
Kurt Karperos, PTSD  
Jose Gomez, PTSD  
Judy Yee, PTSD

PTSD Chron  
ASEIPB Chron

Assignment #8504

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MPSPT Notification Letter rev1.doc

## CONFIDENTIAL INFORMATION FORM

In accordance with Title 17, California Code of Regulations (CCR), Sections 91000-91022, and the California Public Records Act (Government Code Section 6250 et seq.), the information that a company provides to the Air Resources Board (ARB) may be released (1) to the public upon request, except trade secrets which are not emissions data or other information which is exempt from disclosure or the disclosure of which is prohibited by law; and (2) to the Federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulation; and (3) to other public agencies provided that those agencies preserve the protections afforded information which is identified as a trade secret, or otherwise exempt from disclosure by law (HSC, Section 39660(e)).

Trade secrets, as defined in Government Code Section 6254.7, are not public records and therefore will not be released to the public. However, the California Public Records Act states that air pollution emission data are always public records, even if the data come within the definition of trade secrets. On the other hand, the information used to calculate air pollution emissions data are not "emissions data", and will not be released to the public if it is a trade secret.

### Identifying Confidential Information

If any company believes that any of the information it may provide is a trade secret or otherwise exempt from disclosure under any other provision of law, it **must identify the confidential information as such at the time of submission** to ARB and must provide the name, address, and telephone number of the individual to be consulted. If ARB receives a request for disclosure or seeks to disclose the data claimed to be confidential, ARB may ask the company to provide documentation of its claim of trade secret or exemption at a later date. Data identified as confidential will not be disclosed unless ARB determines, in accordance with the above referenced regulations, that the data do not qualify for a legal exemption from disclosure. The regulations establish substantial safeguards before any such disclosure.

**To designate any information contained in your response to the California Air Resources Board's Multi-purpose Solvent and Paint Thinner Product Reporting Requirements as "confidential information," provide the data requested below and return this page with your completed survey forms.**

1. In accordance with the provisions of Title 17, California Code of Regulations, Sections 91000-91022, and the California Public Records Act (Government Code Sections 6250 seq.),  
(*enter company name*): \_\_\_\_\_  
declares that only those portions specifically identified (by checking the upper left-hand corner confidentiality box on each form) and submitted in response to the California Air Resources Board's Multi-purpose Solvent and Paint Thinner Product Reporting Requirements are confidential "trade secret" information, and requests that it be protected as such from public disclosure.

2. We have designated confidential information by page for each survey data form submitted by checking (X) the upper right-hand corner confidentiality box.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

3. In the case that there are inquiries pertaining to this confidential information, the ARB should contact the following person:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Company Address: \_\_\_\_\_

## SPECIAL REPORTING REQUIREMENTS FOR MULTI-PURPOSE SOLVENT AND PAINT THINNER PRODUCTS

### FORM 1

#### Responsible Party Identification and Contact Information

**Instructions:** Please complete and submit this packet to the California Air Resources Board by September 17, 2012. Be sure to include a complete product label for each product reported.

Send to: California Air Resources Board  
Attn: Minh Pham, Consumer Products Program, PTSD; PO Box 2815  
Sacramento, CA 95812.

Or email to: Minh Pham at mhpham@arb.ca.gov.

**Responsible Party.** For the purpose of this notification, "responsible party" means the company, firm, or establishment listed on the label of a Multi-purpose Solvent or Paint Thinner product, that was sold with intention for use in California during Calendar Year 2011. If the label lists two companies, firms, or establishments, the responsible party is the party that the product was "manufactured for" or "distributed by," as noted on the label.

**1. If you are a *responsible party*, check here:**

☐

- Please provide contact information below (#4).

**2. If you are a *formulator*, check here:**

☐

- Please provide contact information below (#4).
- Provide contact information for each company you are representing on a separate sheet.

**3. Responsible parties and formulators, check applicable boxes:**

- Products comply with the 3 percent by weight VOC limit or compliance with the limit is anticipated by December 31, 2013.

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- Reformulation efforts are ongoing.

☐

- If forms have been forwarded to formulator, check here and provide contact information on a separate sheet:

☐

**4. Complete the following information:**

Your Company Name: _____		
Website: _____		
Address: _____		
City: _____	State: _____	Zip: _____
Contact Person: _____	Title: _____	
Phone: _____	Fax: _____	Email: _____
I certify that the information provided on Forms 1 through 6 is true and accurate to the best of my knowledge.		
Name: _____	Title: _____	
Signature: _____	Date: _____	

## FORM 2

### List of Multi-purpose Solvent and Paint Thinner Products

**Instructions:** List all Multi-purpose Solvent and Paint Thinner products sold in California in 2011 including:

- products that meet the definition of multi-purpose solvent or paint thinner except they are in a form other than a liquid (for example, aerosols);
- products that are labeled as acetone, denatured alcohol, linseed oil, methyl ethyl ketone (MEK), mineral spirits, naphtha, odorless mineral spirits, or turpentine as the product name or part of the product name; or
- products that are used in paint clean-up or surface preparation.

For each product listed, provide the information requested below. If a product complies with the future effective 3% by weight VOC limit indicate "N/A" under the "Research & Development (R&D) Effort" column. Otherwise, indicate whether any R&D effort was conducted for each product or group of products. If not, specify reason(s) for not conducting the R & D effort.

**Responsible Party:** \_\_\_\_\_

<b>Contact Person:</b> _____	<b>Phone:</b> _____	<b>Fax:</b> _____
<b>Title:</b> _____	<b>Email:</b> _____	

**List Multi-purpose Solvent and Paint Thinner Products:** (Copy Form 2 if extra space is required.)

	<u>Product Name:</u>	<u>Product Size</u>	<u>2011 CA Sales Units Sold</u>	<u>VOC %</u>	<u>R&amp;D Effort Yes, No, N/A</u>
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____

**Summary of R&D Efforts:** (If none, please explain.):

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Check (✓) if  
Confidential ☐

## FORM 3

### Current Product Information

**Instructions:** Complete one Form 3 for each product currently sold in California. Copy and complete additional Form 3s, as needed.

#### A. PRODUCT PACKAGING

1. Product Name(s): _____		
2. Company Name: _____		
3. Category: <input type="checkbox"/> Multi-purpose Solvent <input type="checkbox"/> Paint Thinner <input type="checkbox"/> Other (specify) _____		
4. Indicate if this product is currently exempt? <input type="checkbox"/> Yes <input type="checkbox"/> No		5. Dispensed Form check (✓) one <input type="checkbox"/> Aerosol <input type="checkbox"/> Liquid <input type="checkbox"/> Other (specify): _____
If Yes, check (✓) one : <input type="checkbox"/> Artist's Solvent / Thinner <input type="checkbox"/> High Temperature Coating Thinner <input type="checkbox"/> Industrial Maintenance Coating Product Thinner <input type="checkbox"/> Zinc Rich Primer Thinner <input type="checkbox"/> Other _____		

#### B. FORMULATOR/INGREDIENT CONTACT – To be completed by the individual filling out Part C, below.

Company Name: \_\_\_\_\_ Email: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### C. INGREDIENTS – To be completed by the company that holds the ingredient information (either the responsible party or formulator).

List all ingredients (round off to 0.1%):					
Chemical Name/Trade Name	Ingredient Function	Weight %	Bin #	VOC/LVP/ Inorganic?	MIR Value
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
% Total=		100.0			

Check (✓) if  
Confidential ☐

## FORM 4

### Research and Development Prototype Product Information

**Instructions:** Complete one Form 4 for each research and development effort. Copy and complete additional Form 4s, as needed.

#### A. PRODUCT PACKAGING

1. Product Name(s): _____		
2. Company Name: _____		
3. Category: <input type="checkbox"/> Multi-purpose Solvent <input type="checkbox"/> Paint Thinner <input type="checkbox"/> Other (specify) _____		
4. Indicate if this product is currently exempt or intends to use an exemption? <input type="checkbox"/> Yes <input type="checkbox"/> No		5. Dispensed Form check (✓) one <input type="checkbox"/> Aerosol <input type="checkbox"/> Liquid <input type="checkbox"/> Other _____
If Yes, check (✓) one : <input type="checkbox"/> Artist's Solvent / Thinner <input type="checkbox"/> High Temperature Coating Thinner <input type="checkbox"/> Industrial Maintenance Coating Product Thinner <input type="checkbox"/> Zinc Rich Primer Thinner <input type="checkbox"/> Other _____		

#### B. FORMULATOR/INGREDIENT CONTACT – To be completed by the individual filling out Part C, below.

Company Name: \_\_\_\_\_ Email: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### C. INGREDIENTS – To be completed by the company that holds the ingredient information (either the responsible party or formulator).

List all ingredients (round off to 0.1%):					
Chemical Name/Trade Name	Ingredient Function	Weight %	Bin #	VOC/LVP/Inorganic?	MIR Value
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
% Total=		100.0			



## FORM 5

### Product Development Summary

**Instructions:** Complete one Form 5 for each research and development (R&D) effort undertaken or representative R&D effort. Copy and complete additional Form 5s, as needed.

**Responsible Party:**

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**Formulator (if applicable):**

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Product(s) covered by R&D effort : 

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**Category:**    ☐ Multi-purpose Solvent    ☐ Paint Thinner    ☐ Other

Describe formula change(s): 

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Describe the pathway used to meet compliance: 

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Describe results: 

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Describe any difficulty with formulating a compliant product: 

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## FORM 6

### Summary of Research and Development (R&D) Costs

**Instructions:** Complete one Form 6 for each R&D effort described on Form 5 and list products covered by the R&D effort. Copy and complete additional Form 6s as needed.

**Responsible Party:** \_\_\_\_\_

**Formulator** (if applicable): \_\_\_\_\_

**Summary of R&D efforts undertaken** (check all that apply):

Research		Laboratory Development		Marketing Development		Manufacturing Development	
Chemical raw materials:	<input type="checkbox"/>	Raw materials testing:	<input type="checkbox"/>	Consumer survey:	<input type="checkbox"/>	Product component manufacturing parts:	<input type="checkbox"/>
Packaging components:	<input type="checkbox"/>	Prototype testing	<input type="checkbox"/>	Focus group:	<input type="checkbox"/>	Production line parts:	<input type="checkbox"/>
Marketing:	<input type="checkbox"/>	Product performance:	<input type="checkbox"/>	Field testing of prototype:	<input type="checkbox"/>		
		Product stability:	<input type="checkbox"/>				
		Product safety:	<input type="checkbox"/>				

**Time Period:** (mm/yyyy) From: \_\_\_\_\_ To: \_\_\_\_\_

**Cost:**

Item	Financial Investment	Time Investment
Research:	\$ _____	person years _____
Laboratory Development:	\$ _____	person years _____
Marketing Development:	\$ _____	person years _____
Manufacturing Development:	\$ _____	person years _____
Misc. personnel:	\$ _____	person years _____
Total Costs:	\$ _____	person years _____

Products covered by R&D effort: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Identify future plans: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_